

# United States District Court

NORTHERN DISTRICT OF CALIFORNIA

EMC

UNITED STATES OF AMERICA

V.

ALIREZA RAHMANI

Venue: San Francisco

CRIMINAL COMPLAINT

CASE NUMBER:

3 - 07 - 70620

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about October 25, 2007 in San Mateo County, in the

Northern District of California the defendant,

**OFFENSE:** ALIREZA RAHMANI, did knowingly transport and ship in foreign commerce by any means, a visual depiction that involves the use of a minor engaging in sexually explicit conduct,

in violation of Title 18 United States Code, Section(s) 2252(a)(1).


I further state that I am a(n) ICE Special Agent and that this complaint is based on the following facts:

Official Title

SEE ATTACHED AFFIDAVIT IN SUPPORT OF THIS COMPLAINT

**PENALTIES:** Imprisonment for not less than 5 years and not more than 20 years, a fine of not more than \$250,000.00, a \$100.00 special assessment, and 3 years supervised release

APPROVED AS TO FORM:

  
ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Warrant of Arrest Requested: ☒ Yes ☐ No

Bail Amount: NO BAIL

  
Signature of Complainant

Sworn to before me and subscribed in my presence,

10/26/07 at San Francisco, California  
Date City and State

**Honorable Edward M. Chen**  
**United States Magistrate Judge**

Name & Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT** }  
 }  
**NORTHERN DISTRICT OF CALIFORNIA** }

**ss. AFFIDAVIT**

I, John Bartusevics, Special Agent, U.S. Immigration and Customs Enforcement (ICE), being duly sworn, depose and state:

## I. INTRODUCTION AND PURPOSE OF AFFIDAVIT

1. This affidavit is submitted in support of a criminal complaint against and arrest warrant for Alireza RAHMANI, date of birth July 27, 1969, for violating Title 18, U.S.C., Section 2252(a)(1), transporting child pornography in interstate or foreign commerce.

## II. AGENT BACKGROUND AND EXPERTISE

2. I am a Special Agent (SA) with U.S. Immigration and Customs Enforcement (ICE), assigned to the office of the Resident Agent in Charge, San Francisco International Airport (RAC/SI), and have been employed by ICE since November of 2006. Prior to my employment with ICE, I was an Officer with U.S. Customs and Border Protection and its predecessor agency, U.S. Immigration and Naturalization Service, since July of 2001. I have completed Immigration Officer Basic Training, the Criminal Investigator Training Program, and ICE Special Agent Training at the Federal Law Enforcement Training Center in Brunswick, Georgia.

a. I am responsible for enforcing federal criminal statutes, including the sexual exploitation of children, pursuant to Title 18, U.S.C., Section 2252. I have received training and actual experience relating to Federal Criminal Procedure, Federal Statutes and U.S. Immigration and Customs Regulations. This includes training in investigative techniques and violations of Title 18, U.S.C., including specifically 18 U.S.C. Section 2252(a)(1), involving the interstate or foreign transportation of child pornography. As a Special Agent with ICE, I have assisted with child pornography investigations and seized

digital media devices containing child pornography. I have reviewed images containing child pornography in a variety of formats (such as digital still images and video images) and media (such as floppy diskettes, videotapes, magazines, and printed images).

b. In the course of the investigation described in this Affidavit, I have consulted with other federal agents, including ICE agents at San Francisco Airport who have written affidavits for, or participated in the application for and execution of, hundreds of search and arrest warrants over the course of their careers.

c. As a Special Agent of ICE, I am authorized to investigate violations of laws of the United States, and I am a law enforcement officer with authority to execute arrest and search warrants under the authority of the United States.

3. The facts set forth in this affidavit are known to me as a result of my participation in this investigation, from reports made to me by other law enforcement officers, and from records, documents, and other evidence obtained during this investigation. Since this affidavit is being submitted for the limited purpose of outlining the criminal conduct of Alireza RAHMANI, I have not included each and every fact known to me concerning this investigation. I have only set forth the facts I believe are necessary to establish probable cause that a violation of federal law has occurred.

### **III. APPLICABLE LAW**

4. Title 18, U.S.C., Section 2252(a)(1) states that any person who “knowingly transports or ships in interstate or foreign commerce by any means including by computer or mails, any visual depiction, if . . . the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and . . . such visual depiction is of such conduct” shall be punished as provided in 18 U.S.C. section 2252(b)(1).

#### IV. FACTS ESTABLISHING PROBABLE CAUSE

5. On October 25, 2007, at approximately 1410 hours, Alireza RAHMANI arrived at San Francisco International Airport (SFO) from Frankfurt, Germany aboard Lufthansa Airlines flight 454. RAHMANI entered into the United States on a B-2 visa as a visitor. US Customs and Border Protection Officer (CBPO) Brandon Danganan selected RAHMANI for a secondary examination. RAHMANI claimed ownership of his suitcases and all contents in them. Pursuant to CBP's authority to conduct border searches, CBPO Danganan began an inspection of RAHMANI's luggage. CBPO Danganan discovered a suitcase full of soft-sided compact disc (CD) cases containing several hundred CDs. RAHMANI acknowledged that the CDs belonged to him and said they contained "pictures, family pictures, and programs." CBPO Danganan noticed that RAHMANI began to perspire and crossed his arms defensively after he was questioned about the CDs.

6. CBPO Danganan and CBPO Steven Bowman began to review RAHMANI's CDs and discovered images of bestiality on several CDs. At this point it was deemed appropriate to review the remainder of RAHMANI's digital media to insure it did not contain any contraband images. CBPO Steven Sayama reviewed one (1) CD hand labeled "XXX films photos." This CD contained what CBPO Sayama believed to be images of child pornography. I was notified at approximately 1630 hours and responded to the inspection area to assist in the investigation.

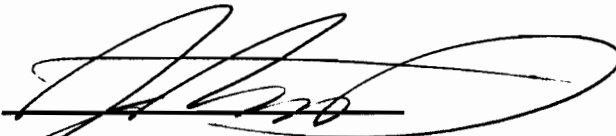
7. SA Michael Appio and I viewed the images saved on the CD marked "XXX films photos" and observed numerous images of child pornography. In particular I viewed five images that all contained the words "pthc ultra hard pedo child porn pedofila" as part of the file name. These images depict a naked Caucasian female that appears to be approximately seven to nine years of age. In the first image, a naked adult male is urinating on her while she is sitting in a tub with her legs spread. The second image shows her kneeling naked on a bed with her hands tied behind her back. The third image shows her kneeling on a bed with her legs spread and holding a sex toy near her vagina. The fourth image shows her kneeling on a bed performing oral sex on an adult male. The fifth image is a close up of her vagina, while an adult male begins to penetrate her with his penis. Based on my training and

experience, and conversations with other law enforcement officers, I know that all of the five aforementioned images have been previously identified by the Federal Bureau of Investigation as depicting a known victim of child exploitation. I attempted to interview RAHMANI about the images found on his CDs, but he invoked his right to counsel.

## V. CONCLUSION

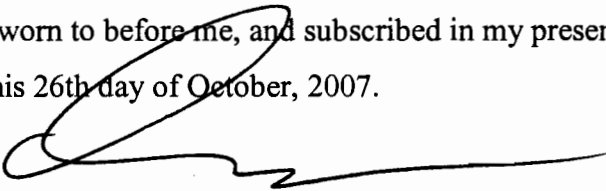
8. Based on the above facts and information, I submit that probable cause exists to believe that on October 25, 2007, in the Northern District of California, Alireza RAHMANI knowingly transported or shipped in interstate or foreign commerce by any means including by computer or mails, any visual depiction involving the use of a minor engaging in sexually explicit conduct, and such visual depiction is of such conduct, in violation of Title 18, U.S.C., Section 2252(a)(1).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

  
John Bartusevics Special Agent

U.S. Immigration and Customs Enforcement  
U.S. Department of Homeland Security

Sworn to before me, and subscribed in my presence,  
this 26th day of October, 2007.

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HON. EDWARD M. CHEN  
United States Magistrate Judge